

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt.P.Rajeswari, former CDPO, ICDS Project, Pamarru, Krishna District and retired now – Surprise check made by the ACB on 06-04-2009 - Possession of un-official amount of Rs.81,100/- collected from Anganwadi Workers and Helpers through the Sector leaders and non – submission of Annual Property Returns - Disciplinary proceedings initiated under A.P.C.S (Conduct) Rules, 1964 – Imposing the punishment of 25% cut in admissible pension on permanent basis under Rule – 9 (1) of A.P.Revised Pension Rules, 1980 - Orders – Issued.

DEPT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS [ESTT.-A3]

G.O.RT.No. 231

Dated 10th September, 2014

Read the following:-

01. From D.G., A.C.B., Lr.No.16/DES – VKI/09-89, dt.17-07-2009.
02. Govt. Memo.No.4150/Estt.A2/2009, dated 05-10-2009.
03. Director, W.D & C.W., Rc.No.3575/Vig.1/2009, dated 09-03-2010.
04. From the Commissioner, W.D & C.W., A.P., Hyderabad, Lr.No.3575/Vig.1/2009, dated 21-08-2012.
05. Memo.No.4150/Estt.A2/2009-9, dated 11-02-2013.
06. Explanation dated 07-05-2013 submitted by the Charged Officer.
07. G.O.Rt.No.180, Dept. for WCD & SCs (Estt.A2), dated 22-05-2013.
08. Government Letter No.4150/Estt.A3/2009-11, dated 30-01-2014.
09. From Secretary, A.P.P.S.C., Lr.No.335/RT/3/2014, dt.26-03-2014.

ORDER: -

Government while forwarding a copy of enquiry report of D.G., ACB., A.P., Hyderabad received through the reference 1st read above, have requested the Director, W.D & C.W., A.P., Hyderabad, vide reference 2nd read above, to take departmental action under Rule 9 (7) & 8 (a) (b) read with Rule 3 (1) & (2) of A.P.C.S (Conduct) Rules, 1964 in respect of Smt.P.Rajeswari, former CDPO, ICDS Project, Pamarru, Krishna District.

2. The Commissioner, W.D & C.W., A.P., Hyderabad, vide reference 4th read above, has informed the Government that in pursuance of Government Memo. 2nd read above, the Director, W.D & C.W., had issued Charge Memo. vide reference 3rd read above to Smt.P.Rajeswari, former CDPO, ICDS Project, Pamarru, Krishna District by framing the following two articles of charges under A.P.C.S (Conduct) Rules, 1964: -

CHARGE – I:

That Smt.Polu Rajeswari, CDPO, ICDS project, Pamarru, Krishna District joined the Government Service on 12-08-1986 as Extension Officer, Nandyala, Kurnool District and promoted as CDPO, Pamarru on 01-07-2007 and while functioning in the above capacity during the period between 01-06-2007 to 06-04-2009 she committed grave misconduct in as much as, she was found on 06-04-2009 in possession of Rs.81,100/- kept in her office table drawer, that was collected from Anganwadi Workers and Helpers through Sector leaders from Pamarru, Gudlavelleru and Pedaparupudi Mandals, as a reward / commission to her for the passed bills of honorarium arrears already paid to them and on the plea that some of the amount collected had to be paid to the officials of STO., Pamarru.

CHARGE – II:

That Smt.Polu Rajeshwari, CDPO, ICDS Project, Pamarru, Krishna District joined the Govt. service on 12-08-1986 as Extension Officer, Nandyala, Kurnool District and promoted as CDPO, Pamarru on 01-06-2007 and while functioning in the above capacity during the period between 01-06-2007 to 06-04-2009 she committed grave misconduct in as much as, that she has not submitted Annual Property Returns to the competent authority during her entire service except 2006 and 2008 and failed to maintain absolute integrity in violation of the provisions of A.P.Civil Services (Conduct) Rules, 1964.

Thus, Smt.Polu Rajeshwari, CDPO, ICDS Project, Pamarru, Krishna District by her above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming

of a Govt. Servant and thereby violated Rule 9 (7) and (8) (a) and (b) r/w Rule 3 (1) & (2) of A.P.C.S. (Conduct) Rules, 1964.

3. The Commissioner, W.D & C.W., has further stated that the Charged Officer, has submitted her explanation dated 12-04-2010 and on perusal of her explanation the Enquiry Officer and Presenting Officer were appointed. The Enquiry Officer in her report has held that two charges were held proved. He has therefore, requested the Government to take further action in the matter since the Charged Officer has retired from service on 31-01-2012, on attaining the age of superannuation.

4. Govt. in Memo. 5th read above, have issued a notice to the Charged Officer, to show cause as to why a penalty under Rule 9 (1) of the A.P.Revised Pension Rules, 1980 shall not be imposed against her and directed her to submit her explanation within 15 days from the date of receipt of the SCN, failing which action will be taken basing on the material available.

5. Smt.P.Rajeswari, Retired CDPO, has submitted her explanation dated 07-05-2013 vide reference 6th read above, stating that Charge No.1 is not correct and that the AWWs have deposed the fact of entrusting of the said amount for the purpose of utilization for their own benefit and a part of the amount was meant for donation to the National Children's Fund. Regarding Charge No.2, the C.O., has stated that she has furnished the pecuniary and property details in every year throughout her service and that the findings recorded by the I.O needs to be re-opened and reviewed in the interest of justice and she relied on the decision of the Hon'ble Supreme Court of India in Silva Vs. Union of India, AIR 1962 SC 1130 in support of her contention. The Charged Officer has denied the two charges and requested the Government to drop the disciplinary proceedings initiated against her and to release all the pensionary benefits due to her to enable to maintain her family and also to avoid financial hardships.

6. After considering the written statement of defense submitted by the Charged Officer vide ref. 6th read above, Govt. have decided to impose a punishment under Rule-9 (1) of A.P.R.P.Rules, 1980 to withhold 8% cut in pension permanently in respect of Smt.P.Rajeswari, Retd. CDPO, since two charges framed against her were held proved by the E.O.

7. W.r.t. Govt. Letter 8th read above, the Secretary, A.P.P.S.C., vide letter 9th read above, has opined that " it is clear that the CDPO had collected bribes worth Rs.81,100/- from the Anganwadi Workers was caught red-handed" and for indulging in corrupt practices, Commission suggest to impose the punishment of 25% cut in pension against Smt.P.Rajeswari, CDPO (Retd.) on permanent basis.

8. Government after careful examination of the matter, and in exercise of the powers conferred under Rule – 9 (1) of A.P.Revised Pension Rules, 1980 hereby impose the punishment of 25% cut in admissible pension on permanent basis in respect of Smt.P.Rajeswari, former CDPO, ICDS Project, Pamarru, Krishna District and retired now since the two charges framed against her were held proved by the Enquiry Officer and accordingly concluded the disciplinary proceedings.

9. This order issues with the concurrence of A.P.P.P.S.C., vide their letter 9th read above.

10. The Commissioner (i/c), W.D & C.W., A.P., Hyderabad, is requested to take necessary further action in the matter, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

NILAM SAWHNEY,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Commissioner (I/c), W.D & C.W., A.P., Hyderabad.

Smt.P.Rajeswari, former CDPO, ICDS Project, Pamarru, Krishna District and retired now, through the Commissioner (I/c), W.D & C.W., A.P., Hyderabad.

The Accountant – General, A.P., Hyderabad.

The Director of Treasuries and Accounts, A.P., Hyderabad.

Copy to: -

SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER